

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,

*

Plaintiff,

*

V.

*

Criminal No. 2:07-cr0025-WKW

CLIFFORD STRONG FERGUSON,

*

Defendant.

DEFENDANT'S REQUESTED PROPOSED SUPPLEMENTAL JURY INSTRUCTION

Comes now the defendant, Clifford Strong Ferguson, and submits this requested supplemental jury instruction for the Court's consideration.

Respectfully submitted

s/ Susan G. James
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CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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SUPPLEMENTAL INSTRUCTION NO. 1

SIMPLE POSSESSION

Defendant would request an instruction on a lesser included offense of simple possession of marijuana.

Schmuck v. United States, 489 U.S. 705 (1989); *United States v. Lee*, 68 F. 3d 1267 (11th Cir. 1995); *Theralt v. United States* 434 F. 2d 212, 214 (5th Cir. 1970); FrCrP 31(c)(1) and 21 U.S.C. 844, 844(a).

GIVEN _____ MODIFIED _____ REFUSED _____

United States District Judge